

United States District Court  
Southern District of California

UNITED STATES OF AMERICA  
Vs  
Dywane Toussant (03)

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

Case Number:09CR1250-W

Paul W. Blake  
Defendant's Attorney

**REGISTRATION NO.14306298**

THE DEFENDANT:  
pleaded guilty to count two of the superseding indictment.

Accordingly, the defendant is adjudged guilty of such counts, which involve the following offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>                               | <u>Count Number</u> |
|----------------------------|--|---------------------|
| 18 USC 1591(a),(b) & 2     | Sex Trafficking of Children by Force, Fraud & Coercion | S2                  |

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

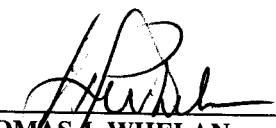
Remaining counts of the superseding indictment and the underlying indictment ordered dismissed.

Penalty Assessment \$100.00, forthwith, through the office of the Clerk, U.S. District Court.

Fine waived.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within thirty days of any change of name, residence or mailing address until all fines, restitution costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

June 2, 2010  
Date of Imposition of Sentence

  
HON. THOMAS J. WHELAN  
UNITED STATES DISTRICT JUDGE

DEFENDANT:Dywane Tousant  
CASE NUMBER:09CR1250-W

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 120 months. 15 months to run concurrently with the state court sentence SCS225068.

**RETURN**

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By

\_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

Judgment in a Criminal Case  
Sheet 3 - Supervised Release

DEFENDANT: Dywane Tousant  
CASE NUMBER:09CR1250-W

Judgment - Page 3 of 5

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

**For offenses committed on or after September 13, 1994:**

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than eight drug tests per month during the term of supervision, unless otherwise ordered by the court.

— The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18 USC 3583(d).

— The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer.

— The defendant shall participate in an approved program for domestic violence.

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

**STANDARD CONDITIONS OF SUPERVISION**

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer, truthfully, all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.
- 11) The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirements.

DEFENDANT: Dywane Tousant  
CASE NUMBER: 09CR1250-W

### **SPECIAL CONDITIONS OF SUPERVISION**

- The defendant shall submit to search of person, residence, office or vehicle, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- The defendant shall report all vehicles owned, operated, or in which the defendant has an interest to the probation officer.
- The defendant shall complete a sex offender evaluation, which may include periodic psychological, physiological testing, and completion of the ABEL assessment, at the direction of the court or probation officer; and that the defendant participate and successfully complete an approved state-certified sex offender treatment program, including compliance with all lifestyle restrictions and treatment requirements of the program. The offender will allow reciprocal release of information between the probation officer and the treatment provider. The offender may also be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on ability to pay.
- The defendant shall not have unsupervised contact with any child under the age of 18, unless in the presence of a supervising adult (who is aware of the defendant's deviant sexual behavior and conviction), and with the prior approval of the probation officer.
- The defendant shall not have any contact, direct or indirect, either telephonically, visually, verbally or through written material, or through any third-party communication, with the victim or victim's family, without approval of the probation officer.
- The defendant shall not associate with, or have any contact with any sex offenders unless in an approved treatment and/or counseling setting.
- The defendant shall not be employed in or participate in any volunteer activity that involves contact with children under the age of 18, except under circumstances approved in advance (and in writing) by the probation officer.
- The defendant shall not accept or commence employment without prior approval of the probation officer, an employment should be subject to continuous review and assessment by the probation officer.
- The defendant shall consent to third party disclosure to any employer, potential employer, concerning any restrictions that are imposed by the court.
- The defendant shall reside in a residence approved in advance by the probation officer, and any changes in residence shall be pre-approved by the probation officer.
- The defendant shall consent to the installation of systems that will enable the probation officer to monitor computer use on any computer owned or controlled by the offender. The offender may be required to pay for the cost of installation of the computer software.
- The defendant shall resolve all outstanding warrants within 60 days.

DEFENDANT: Dywane Tousant  
CASE NUMBER: 09CR1250-W

Restitution Provisions of the Judgement

IT IS ORDERED that the defendant pay restitution in the amount of \$2,160, jointly and severally with all co-defendants that are ordered to pay restitution in this case, through the Clerk, U.S. District Court, to the California Victim Compensation and Government Claims Board, payable forthwith or through the Inmate Financial Responsibility Program at the rate of \$25 per quarter during the period of incarceration, with the payment of any remaining balance to be made following the defendant's release from prison at the rate of \$100 or more per month.

California Victim Compensation and Government Claims Board  
P.O. Box 1348  
Sacramento, CA 95811